

(2) after the expiration of the time allowed for applying for a writ of certiorari, if such order, or such order as modified, has been sustained by the court of appeals and no such writ has been applied for within such time; or

(3) after such order, or such order as modified, has been sustained by the courts as provided in section 228b-3 of this title;

shall on conviction be fined not less than \$1,000 nor more than \$20,000. Each day during which such failure continues shall be deemed a separate offense.

(Aug. 15, 1921, ch. 64, title IV, §413, as added Pub. L. 100-173, §9(2), Nov. 23, 1987, 101 Stat. 922.)

#### EFFECTIVE DATE

Section effective 90 days after Nov. 23, 1987, see section 12 of Pub. L. 100-173, set out as an Effective Date of 1987 Amendment note under section 182 of this title.

### § 228c. Federal preemption of State and local requirements

No requirement of any State or territory of the United States, or any subdivision thereof, or the District of Columbia, with respect to bonding of packers or prompt payment by packers for livestock purchases may be enforced upon any packer operating in compliance with the bonding provisions under section 204 of this title, and prompt payment provisions of section 228b of this title, respectively: *Provided*, That this section shall not preclude a State from enforcing a requirement, with respect to payment for livestock purchased by a packer at a stockyard subject to this chapter, which is not in conflict with this chapter or regulations thereunder: *Provided further*, That this section shall not preclude a State from enforcing State law or regulations with respect to any packer not subject to this chapter or section 204 of this title.

(Aug. 15, 1921, ch. 64, title IV, §414, formerly §410, as added Pub. L. 94-410, §9, Sept. 13, 1976, 90 Stat. 1252; renumbered §414, Pub. L. 100-173, §9(1), Nov. 23, 1987, 101 Stat. 919.)

### § 229. Separability

If any provision of this chapter or the application thereof to any person or circumstances is held invalid, the validity of the remainder of the chapter and of the application of such provision to other persons and circumstances shall not be affected thereby.

(Aug. 15, 1921, ch. 64, title IV, §415, formerly §408, 42 Stat. 169; renumbered §411, Pub. L. 94-410, §5, Sept. 13, 1976, 90 Stat. 1250; renumbered §415, Pub. L. 100-173, §9(1), Nov. 23, 1987, 101 Stat. 919.)

### § 229a. Mandatory domestic reporting pilot investigation

#### (1) In general

The Secretary of Agriculture shall conduct a twelve month pilot investigation, beginning upon the date of implementation of such pilot, under which the Secretary shall require any person or class of persons engaged in the business of buying, selling, or marketing domestic or imported cattle for immediate slaughter and fresh

muscle cuts of beef, or domestic or imported sheep and fresh or frozen muscle cuts of lamb, to report to the Secretary, in the least intrusive manner possible, information relating to prices for the procurement of these items.

#### (2) Application

This section shall only apply to a person that is engaged in the business of buying, selling, or marketing a significant share of the national market, as determined by the Secretary, of the total volume of domestic or imported cattle for immediate slaughter and fresh muscle cuts of beef, or domestic or imported sheep and fresh or frozen muscle cuts of lamb, bought, sold, or marketed in the United States.

#### (3) Report

Not later than six months after the conclusion of the mandatory domestic reporting pilot investigation, the Secretary of Agriculture shall submit a report to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate on the effectiveness of the pilot investigation. No information collected under the pilot investigation may be disclosed until the report is submitted.

(Aug. 15, 1921, ch. 64, title IV, §416, as added Pub. L. 105-277, div. A, title I, §101(a) [title XI, §1127(a)], Oct. 21, 1998, 112 Stat. 2681, 2681-46.)

## SUBCHAPTER VI—CHARGE FOR INSPECTION

### § 231. Omitted

#### CODIFICATION

Section, act July 22, 1942, ch. 516, 56 Stat. 689, was from the Department of Agriculture Appropriation Act, 1943, and provided for fees for inspection of brands appearing upon livestock. See section 217a of this title. Similar provisions were contained in the following prior appropriation acts:

July 1, 1941, ch. 267, 55 Stat. 432.  
 June 25, 1940, ch. 421, 54 Stat. 557.  
 June 30, 1939, ch. 253, title I, 53 Stat. 970.  
 June 16, 1938, ch. 464, title I, 52 Stat. 721.  
 June 29, 1937, ch. 404, 50 Stat. 406.  
 June 4, 1936, ch. 489, 49 Stat. 1432.  
 May 17, 1935, ch. 131, title I, 49 Stat. 257.  
 Mar. 26, 1934, ch. 89, 48 Stat. 477.  
 Mar. 3, 1933, ch. 203, 47 Stat. 1441.  
 July 7, 1932, ch. 443, 47 Stat. 620.  
 Feb. 23, 1931, ch. 278, 46 Stat. 1252.  
 May 27, 1930, ch. 341, 46 Stat. 402.  
 Feb. 16, 1929, ch. 227, 45 Stat. 1198.

## CHAPTER 10—WAREHOUSES

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241.	Short title.
242.	Definitions.
243.	Investigation of warehousing, weighing, classifying, and certification of agricultural products; inspection of warehouses; prescribing duties of warehousemen.
244.	Licensing warehouseman.
245.	Term of license; renewal.
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247.	Bond of applicant for warehouse license; additional bond.
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249.	Action on bond by person injured.
250.	Designation as bonded warehouse.